

WILLARS et al  
Serial No. 10/068,012

Atty Dkt: 2380-599  
Art Unit: 2683

### **REMARKS/ARGUMENTS**

Reexamination of the captioned application is respectfully requested.

#### **A. SUMMARY OF THIS AMENDMENT**

By the current amendment, Applicants basically:

1. Update the first paragraph of the specification regarding related applications.
2. Amend claims 33, 38, 42, 43, 47, and 53 by providing antecedent basis.
3. Add new claims 59-68, with new independent claim 59 being directed, e.g., to the third and fifth alternatives (which are summarized, e.g., in paragraphs 00026 and 00028 of the specification) and new dependent claims 60 - 67 essentially corresponding to claims 43 - 46, 53- 54, 58, and 32, respectively. New dependent claim 68 corresponds to the last paragraph of independent claim 31.
4. Respectfully traverse all prior art rejections.

#### **B. PATENTABILITY OF THE CLAIMS**

Claims 1-5, 7-34 and 36-58 under 35 USC §102(e) as being anticipated by U.S. Patent 6,038,449 to Corriveau et al. Claims 6 and 35 under 35 USC §103(a) as being unpatentable over U.S. Patent 6,038,449 to Corriveau et al. All prior art rejections are respectfully traversed for at least the following reasons.

Applicants have solved a handover problem in a radio access network, and especially the problem of the mobile station measuring the signal strengths of the serving base station and neighboring base stations for evaluation of which base station is the best for serving the mobile station. Such measurements consumes considerable capacity of the mobile station. Moreover, if many base stations are to be measured, in view of the capacity constraints either the measurement cannot be update very frequent or the quality

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of the measurement is negatively effected. But signals from neighbor base station properly and timely measured since these neighboring base stations may be candidates for handover for serving the mobile station.

In some instances, networks, or at least parts of networks, may be shared between operators, while other networks or parts of other networks may be reserved exclusively for use by the subscribers of a single operator. In such instances of the neighboring base stations to a base station currently serving a mobile station, only a subset of the neighboring base stations may be allowed for serving the mobile station in view of network or subscriber constraints or the like.

Advantageously, Applicants inform the mobile station (e.g., user equipment unit) of a filtered list of neighboring base stations which are all allowed for use by the mobile station. Accordingly, the mobile station measures the signal strengths of the filtered list only. Therefore, at handover to a new base station, the mobile station is informed (via a message) of the subset of base stations on which to measure, instead of having to measure on all neighboring base stations. Beneficially, Applicants thereby limit the measurements made by the mobile station to those base stations that are truly allowed for serving the mobile station and which are true candidates for handover.

Consistently with the foregoing, independent method claim 1 includes the following limitation:

transmitting to the user equipment unit a message including a filtered list of cells, the filtered list of cells including the first subset but not the second subset.

Similarly, independent apparatus claim 31 states that:

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the serving radio network control node transmits to the user equipment unit a message including a filtered list of cells, the filtered list of cells including the first subset but not the second subset.

And very similarly, new independent claim 59 states that:

the radio network control node ... being arranged for preparing and transmitting to the user equipment unit a message including a filtered list of cells, the filtered list including a first subset of neighboring cells for which the handover involving the user equipment unit is permitted but not including a second subset of neighboring cells for which the handover involving the user equipment unit is not permitted.

The office action alleges that Corriveau (US 6,038,449) discloses a message on a filtered list of base stations to be sent to a mobile station. Applicants respectfully disagree.

Corriveau's messages 60 and 70 (see figure 2) are only sent between mobile switching centres (MSC). Messages 60 and 70 are not sent to any mobile station (see, e.g., column 3, line 62 - column 4, line 36). Moreover, Corriveau's messages 60 and 70 do not contain a filtered list of base stations, but the service capabilities of one or more cells (column 4, lines 3-15) or a request for information on the service capability (columns 4, lines 19-36).

Corriveau's messages 60, 70, sent only between the MSCs, do not effect for which neighbor base stations the mobile station performs measurements. Corriveau, column 5, lines 1-8, discloses the measurements by the mobile station are performed on neighbor cells to the cell serving the mobile station, just as is described in the prior art section of the present application.

While Corriveau refers to a "list of potential candidate cells", such list is sent from base station 14(1) to serving mobile switching center 18(1). Moreover, the "list of

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potential candidate cells" is for hand-off, not for measuring. *See, e.g.*, col. 5, lines 14 – 35, especially lines 28 – 35.

Corriveau also discloses a signal 118 between mobile switching centers (MSCs) intended to facilitate verification that a MSC serves at least one cell with sufficient service capability to continue handling the call. Upon receipt of the signal 118, those cells served by the cooperating MSC which capable of supporting the call from a service capability perspective after hand-off are instructed to make verifying signal strength measurements. Each so-instructed base station sends a report 126 with results of the verification signal strength measurement to their MSC, which results are processed to determine which one of the candidate cells 12 comprises the best cell for hand-off of the call. *See, e.g.*, col. 5, line 35 – col. 7, line 26, and particularly the top of col. 7.

Thus, in Corriveau in response to signal 118 it is the base stations which make the measurements, not the user equipment unit. The purpose of the base stations' measurements is to determine a best cell for hand-off, not a list of cells on which to measure. Corriveau does not teach or suggest sending a message with a filtered list of cells is sent to the user equipment unit.

Thus, Corriveau does not provide a legitimate basis for denying patentability of any of Applicants' claims.

### C. MISCELLANEOUS

In view of the foregoing and other considerations, all claims are deemed in condition for allowance. A formal indication of allowability is earnestly solicited.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

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Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,  
NIXON & VANDERHYE P.C.

By: \_\_\_\_\_



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